

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HICHAM JORIO,
Plaintiff,

v.

MOHAMED BENMANSOUR,
Defendant.

Case No. [15-cv-00063-NC](#)

**REFERRAL FOR REASSIGNMENT
TO DISTRICT COURT WITH
RECOMMENDATION TO DISMISS
PLAINTIFF'S COMPLAINT
WITHOUT PREJUDICE**

Re: Dkt. Nos. 21, 22

In this contractual dispute arising from defendant Benmansour's alleged failure to transfer shares of Safariclick, SA, plaintiff Jorio moved for default judgment under Federal Rule of Civil Procedure 55(b)(2). Dkt. No. 21. In his motion, Jorio requested that the Court enter judgment in his favor in the amount of \$2,450,000 plus interest, cost of suit, and attorney's fees. *Id.* In response, on August 15, 2015 the Court ordered Jorio to show cause why the action should not be dismissed due to lack of subject matter jurisdiction and lack of personal jurisdiction over Benmansour. Dkt. No. 22. The Order gave Jorio 14 days to file an amended complaint and a renewed motion for default judgment curing the subject matter and personal jurisdiction deficiencies, which Jorio did not do. *Id.*

Benmansour has not consented to this Court's jurisdiction. Pursuant to 28 U.S.C. § 636(c), this Court issues this Report and Recommendation, and requests reassignment of this case to a district judge. The Court RECOMMENDS DISMISSING Jorio's complaint

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without prejudice for the reasons stated in its order to show cause at Docket Number 22.

IT IS SO ORDERED.

Dated: September 21, 2015



NATHANAEL M. COUSINS
United States Magistrate Judge

United States District Court
Northern District of California